

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

IN RE:)	CHAPTER 7
)	
CAPITAL CITY PUBLIC)	CASE NO.: 21-10163-BAH
CHARTER SCHOOL,)	
)	
Debtor)	

MOTION TO EMPLOY ACCOUNTANT

NOW COMES Michael S. Askenaizer, Esq., Chapter 7 Trustee in above-captioned matter, by his attorney, Daniel C. Proctor, Esq., and moves for the authority to employ Duane D'Agnese as an Accountant to the Trustee to assist the Trustee in preparing tax filings and miscellaneous returns. In support of this Application, the Trustee respectfully states the following:

1. The Debtor initiated this case by filing of a Voluntary Chapter 7 Petition on March 22, 2021.

2. Michael S. Askenaizer was appointed as interim Chapter 7 Trustee on March 23, 2021.

3. After a preliminary review of the Claims Register and an estimated IRS Proof of Claim, the Trustee believes it is appropriate to retain an Accountant to assist him in preparing tax filings, returns and/or other related reports, statements and/or opinions.

4. Trustee seeks to engage Duane D'Agnese to provide such services.

5. Duane D'Agnese has experience in tax and accounting in both Chapter 7 and 11 bankruptcy matters.

6. Duane D'Agnese does not hold or represent an interest adverse to the estate and is a disinterested person within the meaning of 11 U.S.C. Section 101(14).

7. An Affidavit pursuant to Rule 2014(a) of Duane D'Agnese is submitted herewith.

8. Duane D'Agnese has not entered into any arrangements to share fees they receive in this case with any other person except as permitted by law.

9. Duane D'Agnese has agreed to provide the Trustee such services as needed.

10. The Trustee proposes to employ Duane D'Agnese on a general retainer basis at the rate of \$225.00 per hour. Duane D'Agnese has agreed to request no retainer in this matter. All fees and expenses shall be subject to application and approval by the Bankruptcy Court.

11. These rates are the regular and customary rate charged by Duane D'Agnese.

12. The Trustee believes that the employment of Duane D'Agnese is in the best interest of the estate.

WHEREFORE the Trustee respectfully requests this Honorable Court order and decree as follows:

A. That the Trustee be authorized to employ Duane D'Agnese, on a general retainer basis; and

B. For such other and further relief as may be just and equitable.

Respectfully Submitted
MICHAEL S. ASKENAIZER, TRUSTEE
By His Attorney

Dated: September 13, 2022

/s/ Daniel C. Proctor, Esq.
Daniel C. Proctor, Esq., #02124
P.O. Box 3544
Concord, NH 03302-3544
603-228-8226

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of this Motion to Employ Accountant and an Order Authorizing Employment of Accountant on all parties appearing electronically in this case on this 13th day of September, 2022.

/s/ Daniel C. Proctor, Esq.
Daniel C. Proctor, Esq.